

### REMARKS/ARGUMENTS

Claims 1 and 9 have been amended. Claims 21 and 22 have been added. Thus, claims 1-22 are pending in this application.

#### 35 U.S.C. §102 Rejections

Claims 1-5, 8, 9, 12-17, 19 and 20 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 4,384,437 to Coles.

Applicants respectfully assert that the Examiner's rejection of independent claims 1 and 9 and the claims which depend therefrom is moot in view of Applicants amendments to claims 1 and 9. Specifically, Applicants have amended claims 1 and 9 to indicate clearly that both the first and second legs of the clip are "fixedly secured", in other words positively engaged, to the main runner and compression strut respectively. Support for this amendment is found in the application on page 3, lines 13-14, on page 5, lines 10-12 and in Figures 1a-1c.

It is Applicants understanding that the Examiner considers the insulating sleeve assembly, which includes elements 16 and 17 of Coles, to be the "main runner" of claims 1 and 9. Although Coles describes fixedly securing a clip 24 to the purlin 10 with a nut and bolt assembly 27, Coles does not describe or suggest fixedly securing the clip to the insulating sleeve assembly. Coles states at column 5, lines 25-30, "the remote side of the sleeve 16 is held in place by retaining clips 24 each having a U portion 25 which embraces the other limb of the U, . . ." (Emphasis added). Coles provides no description or suggestion to "fixedly secure" the retaining clip to the sleeve assembly. Claims 1 and

9 specifically require this positive locking feature. As Coles does not describe or suggest this limitation, Applicants respectfully request that the rejection of claims 1 and 9 based on section 102 be withdrawn.

Further, claims 3, 4, 9 and 17 require the main runners to include a “bulb portion”. The Examiner asserts in the Official Action that the vertical extending part of U-shape element 17 shown in Figure 8 of Coles is a “bulb portion”. Applicants respectfully disagree. As a “bulb”, or “bulb portion”, is an enlarged portion of the vertical web of a runner, for example the main web of a Tee-bar runner. Applicants assert that that the vertically extending part of the U-shape element of Coles is not the recited bulb of claims 3, 4, 9 and 17 as it is not an enlarged portion of a vertical web of a runner.

For the above reasons, Applicants respectfully request that the 102 rejection based on Coles be withdrawn.

Claims 17-20 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 4,630,423 to Lind.

The Examiner states in the Official Action that “Lind shows a clip (60) having a first leg (63) a second leg (61), a mid portion disposed between the first and second leg, the mid portion being bulb, . . .” It is unclear to Applicants what is meant by the phrase “the mid-portion being bulb” and, thus, clarification is respectfully requested.

Applicants respectfully note, however, that Lind describes the portion of clip (60) disposed between legs 61 and 63, i.e. element 62, as being an “outwardly-extending portion”. Applicants submit that this outwardly-extending portion extends in a single plane and is therefore essentially flat. Thus, Applicants submit that element 62 cannot be

considered a mid-portion configured to conform to the bulb of a main runner as required by claim 17.

35 U.S.C. §103 Rejection

Claims 6, 7, 10 and 11 were rejected under 35 USC § 103(a) as being unpatentable over Coles.

Applicants submit that this rejection is moot as Coles does not teach or suggest all the claim limitations of amended claims 1 and 9 from which they depend. Applicants assert that claims 1 and 9 should be found allowable for the reasons discussed above. Accordingly, claims 6, 7, 10 and 11, which either depend from claim 1 or claim 9, and include all of the limitations thereof, should also be found allowable.

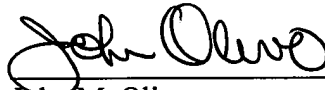
In view of the above, Applicants respectfully request that the Examiner reconsider the claims as amended. It is respectfully submitted that independent claims 1, 9 and 17 are believed to be in a condition for allowance. Accordingly, all claims which depend therefrom should also be found allowable. It is further requested that the Examiner contact Applicants' undersigned representative at the telephone number listed below

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should this response not be deemed to place the application in consideration for allowance.

Respectfully submitted,

11/7/03  
Date

  
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